

HOUSE BILL 337

By Stevens

AN ACT to amend Tennessee Code Annotated, Title 30,
Chapter 4, relative to small estates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 30-4-103(1)(A), is amended by deleting the language "proving that the creditor's debt" and substituting instead the language "proving the creditor's debt"; is further amended by adding the language "that did not pass by operation of law" at the end of subdivision (1)(A)(ii); and is further amended by deleting subdivision (1)(A)(i).

SECTION 2. Tennessee Code Annotated, Section 30-4-103(1)(D), is amended by deleting the language "subdivision (6)" and substituting instead the language "subdivisions (4) and (6)".

SECTION 3. Tennessee Code Annotated, Section 30-4-103(2), is amended by adding the following at the end of the subdivision:

In addition to delivering a certified copy of the affidavit, the clerk shall issue a small estate letter testamentary or a small estate letter of administration to the affiant;

SECTION 4. Tennessee Code Annotated, Section 30-4-103(4), is amended by deleting the language "payable to the state" and substituting instead the language "payable to the clerk of the court with the estate named as the beneficiary".

SECTION 5. Tennessee Code Annotated, Section 30-4-103(5), is amended by deleting the subdivision and substituting instead the following:

(5) A creditor shall not be allowed to file a claim in a small estate proceeding;

SECTION 6. Tennessee Code Annotated, Section 30-4-104(c), is amended by adding the language "up to one (1) year from the date of payment, transfer, or delivery" immediately after the language "remain liable" in the second sentence of the subsection.

SECTION 7. Tennessee Code Annotated, Section 30-4-104(e), is amended by adding the language "up to one (1) year from the date of disposal of the assets" at the end of the subsection.

SECTION 8. This act takes effect upon becoming a law, the public welfare requiring it.